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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/782,902

02/23/2004

Max Stanford Tomlinson JR.

03191.000100

7510

5514 7590 12/17/2007
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

COBANOGU, DILEK B

ART UNIT	PAPER NUMBER
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3626

MAIL DATE	DELIVERY MODE
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12/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/782,902

Applicant(s)

TOMLINSON ET AL.

Examiner

Dilek B. Cobanoglu

Art Unit

3626

All participants (applicant, applicant's representative, PTO personnel):

(1) Dilek B. Cobanoglu.

(3) Michael O'Neill (Reg. No. 32, 622).

(2) Robert Morgan (Primary Examiner A.U. 3626).

(4) _____.

Date of Interview: 13 December 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1, 10 and 13-15.


Identification of prior art discussed: Jamroga and Herzen.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


ROBERT W. MORGAN
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's Representative and Examiners discussed about the proposed amendments to claim 1. Examiners suggested to the Applicant's Representative to include the information on paragraph 0069 to the claims and specify "forwarding access to the stored medical image data to an individual other than the payer" in the claims to better convey Applicant's invention. However, any amendment changing the scope of the invention and requiring further search and consideration, will not be entered after Final.

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FACSIMILE COVER SHEET

TO: Examiner Dilek Cobanoglu
Group Art Unit 3626

FROM: Michael K. O'Neill

RE: U.S. Application No. 10/782,902
Atty. Docket No. 03191.000100

FAX NO.: (571) 273-8295

DATE: December 12, 2007

NO. OF PAGES: 4
(including cover page)

TIME: 3:41

SENT BY: Jarm

MESSAGE

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December 12, 2007

VIA FACSIMILE

Examiner Dilek Cobanoglu
USPTO
Group Art Unit 3626

Re: U.S. Application No. 10/782,902
Atty. Docket No. 03191.000100

Dear Ms. Cobanoglu:

Thank you for agreeing to conduct a telephone interview concerning the final rejection entered in the Office Action dated July 26, 2007, and confirmed in the Advisory Action dated November 28, 2007.

You asked for a written interview request and a brief agenda. In substitution for form PTOL-413A, the following information is provided:

Participants: Michael K. O'Neill, on behalf of Applicants

Dilek Cobanoglu and Robert Morgan on behalf of USPTO

Time: Thursday, December 13, 2007
2:00 p.m. (DC time; 11:00 a.m. CA time).

You indicated that you would telephone me at the agreed-upon time. My telephone number is (714) 540-8700.

As an agenda, please consider the attached claim amendment, which is intended to emphasize that there is shared access to digital medical image data by both a payer and an individual other than the payer, but to whom the payer has forwarded access. Such shared access is described in the specification at paragraph [0038] and paragraph

Examiner Dilek Cobanoglu
December 12, 2007
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[0069]. More details on the precise nature of the access forwarded to the other individual are the subject matter of dependent Claims 13 to 15.

In contrast to the above arrangement, the applied patents to Jamroga and Herzen both contemplate access by only a single individual at any one time. The PTO conceded this point with respect to Jamroga. With respect to Herzen, which concerns access to a financial instrument, only one single person has access to the financial instrument, and that individual is the payee and the payee alone.

It is also respectfully asserted that there is nothing in the applied art that addresses the more detailed aspects of the forwarded access, as recited in dependent Claims 13 through 15.

I look forward to our interview.

Respectfully submitted,



Michael K. O'Neill
Reg. No. 32,622

MKON:snf
Attachment: Claim Sheet

FCHS_WS 1834260v1

U.S. Application No. 10/782,902
Atty. Docket No. 03191.000100

CLAIM SHEET

1. (Currently Amended) A business method ~~for providing by which a payer and an individual other than the payer are both provided~~ with access to digital medical image data generated by up to a plurality of imaging facilities, the business method comprising the steps of:

receiving digital medical image data generated by the imaging facilities using a gateway at each imaging facility;

transmitting the received digital medical image data from the gateway to a central server via a network and storing the digital medical image data at the central server;

providing the payer with access to the stored digital medical image data via the network for a fee; and

forwarding access to the stored digital medical image data to ~~an~~ the individual other than the payer, wherein access is forwarded to the other individual by the payer, and wherein the other individual is thereafter granted access to the stored digital medical image data via the network.

FCHS_WS 1834283v1